

U.S. Appln. No. 09/900,843
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REMARKS

Claims 12, 18, and 20 have been held to be allowable subject matter if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Applicants have amended independent claim 1 to include the limitation of allowable claim 12 thereby effectively rewriting allowable dependent claim 12 into independent amended claim 1. Original Claim 12 has been cancelled. Since the dependent claims 3-11, 13-17, 19, and 21-22 now depend from an allowable independent claim, applicants also request that these claims be held allowed. Applicants have rewritten original Claim 18 in independent form as new Claim 61, an rewritten original claim 20 in independent form as new claim 62. Original Claim 18 and original Claim 20 have been cancelled. With the amendments to rewrite the allowable claims in independent form including all of the limitations of the base claims and any intervening claims, applicants respectfully request that the remaining claims be held allowed.

The previous total number of independent claims was five, and the current total of independent claims is six, and so applicant has provided herewith the fee for one additional independent claim.

Claims 1, 3-7, 9-11, 13-17, 21 and 22 stand rejected under 35 USC 103(a) as being unpatentable over US 6,309,889 in view of US 5,959,297. Applicants traverse the rejection. It is well settled that in considering obviousness under 35 U.S.C. §103(a) the prior art as a whole must be considered and teachings must be viewed as they would have been by one of ordinary skill in the art at the time the invention was made. To properly support a rejection based on prima facie obviousness, an Examiner must cite a combination of references which sets forth the necessary elements of the claimed invention and which provides the motivation for combination for combining those elements to yield the claimed invention. If either the necessary elements of the invention or the motivation to combine such elements is missing, an Examiner cannot properly support the rejection based upon 35 U.S.C. §103(a) and it must be withdrawn. The cited references fail to provide the requisite motivation to selectively pick and choose and then combine particular elements in order to arrive at applicants invention. However, in the interest of advancing the present application to issuance, applicants have elected to

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amend the claims as discussed above resulting in allowable claims. Applicants reserve the right to refile additional applications directed to the original subject matter.

Accordingly, in view of the above amendments and remarks, this application is now believed to be in a condition for an allowance of all remaining claims and such action is respectfully requested.

Respectfully submitted,



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